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May 2003

Women's Rights and Issues:

California Laws Affecting Gender Equity, Civil Rights, Families, Domestic Violence and Women's Health

This women's rights memo, prepared by Kate Sproul, a consultant with the Senate Office of Research, highlights measures adopted by the California Legislature and signed into law during the 1990s and early 2000s in the following areas:

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Gender Equity and Civil Rights Laws

California civil-rights laws are designed to protect its residents from discrimination, harassment and violence. Most of these laws protect residents on the basis of race, ancestry, national origin, color, gender, religion, disability, marital status, age and sexual orientation. These laws cover residents in the areas of education, employment, housing, public services and business establishments. Civil and criminal hate-crime laws protect residents from violence against them or their property because of the kinds of person they are, or the kinds of persons with whom they associate.

Education

In 1982, California enacted a state measure similar to the federal Title IX law. This law is commonly known as the California Sex Equity in Education Act (SEEA). SEEA bars sex discrimination in all educational institutions that receive or benefit from state financial assistance. It covers preschools through universities – both public and private institutions.

AB 1476 (Speier), Chapter 1123 of 1993, requires the California Department of Education to annually review 20 school districts for compliance with sex discrimination laws and make data available by gender.

AB 499 (Kuehl), Chapter 914 of 1998, makes it easier for a person alleging discrimination in education to bring a civil action seeking injunctive relief.

AB 908 (Alquist), Chapter 459 of 2000, creates a grant program to train individuals who will in turn train teachers in strategies and techniques for promoting gender equity in their classrooms.

The Workplace

From equal pay for equal work to hiring and firing decisions to attire in the workplace, the California workplace and the laws governing it have evolved to create a more gender-neutral environment.

AB 311 (Moore), Chapter 911 of 1992, restores the authority of the Fair Employment and Housing Commission (FEHC) to award actual damages up to \$50,000, but not punitive damages, in employment-discrimination cases.

SB 1288 (Calderon), Chapter 1288 of 1994, allows women to wear pants to work except where uniforms are required or other “good cause” is shown.

AB 1670 (Kuehl), Chapter 591 of 1999, expands the Fair Employment and Housing Act (FEHA) to give women, disabled workers and others greater

protection against discrimination. Key provisions include increasing from \$50,000 to \$150,000 the amount of damages and administrative fines the FEHC may award and requiring that an employer reasonably accommodate a pregnant worker.

SB 26 (Escutia), Chapter 222 of 1999, affirms California public policy against age discrimination in employment and invalidates an appellate court case that determined an employer may dismiss an older employee to save money when a younger employee's compensation is less.

AB 1025 (Frommer), Chapter 821 of 2001, requires employers to provide a suitable place for employees who are lactating to pump breast milk and to give these employees break time to accomplish this.

Family and Medical Leave

AB 77 (Moore), Chapter 463 of 1991, gave many California employees the right to take time off from work without pay to care for a newborn, newly adopted child or foster child. California's Family Rights Act requires private and public employers with 50 or more employees to grant an unpaid family leave of up to 12 weeks annually to eligible employees. California's law also covers time off for the medical needs of the employee or the employee's family.

In 2002, California was the first state in the nation to provide paid family-leave benefits under SB 1661 (Kuehl), Chapter 901. This bill expands the State Disability Insurance program operated by the Employment Development Department to provide up to six weeks of wage-replacement benefits to workers who take time off to care for a seriously ill child, spouse, parent or domestic partner, or to bond with a new child.

Another unique California law allows a 40-hour-per-year leave to parents or guardians for attending school activities [AB 2590 (Eastin), Chapter 1290, 1994]. This school-leave law applies to employees who work for employers with 25 or more employees.

Under AB 109 (Knox), Chapter 164 of 1999, all private and public employers who offer paid sick leave are required to allow workers to use a portion of that sick leave to care for an ill spouse, domestic partner, parent or child.

Sexual Harassment in the Workplace and the Schools

California's Fair Employment and Housing Act (FEHA) prohibits sexual harassment in employment and California's SEEA law prohibits sexual harassment in the schools. The Unruh Civil Rights Act also covers sexual harassment when customers are using the services of a business establishment.

SB 1930 (Hart), Chapter 908 of 1992, allows suspension or expulsion for sexual harassment in the schools.

AB 2900 (Archie-Hudson), Chapter 906 of 1992, requires that schools have a written sexual-harassment policy.

AB 2264 (Speier), Chapter 908 of 1992, requires employers to post and distribute Department of Fair Employment and Housing (DFEH) information on sexual harassment.

AB 675 (Moore), Chapter 711 of 1993, clarifies that harassment based on pregnancy is sexual harassment under the FEHA.

AB 1670 (Kuehl), Chapter 591 of 1999, extends sexual harassment protection to those who are working as contract employees.

AB 519 (Aroner), Chapter 964 of 1999, clarifies and strengthens California's sexual harassment provisions in the Unruh Civil Rights Act in the area of professional and business relationships.

In 1999, the California Supreme Court ruled that California's fair employment law does not allow co-workers to sue each other for sexual harassment when there is no supervisory relationship between the aggressor and the victim. Assemblymember Sheila Kuehl authored AB 1856, Chapter 1047 of 2000, to overturn this decision by expressly providing that employees are personally liable for prohibited harassment perpetrated by the employee.

Gender Discrimination in Pricing

In 1995, Assemblymember Jackie Speier successfully authored AB 1100, Chapter 866, referred to as the "Gender-Tax Repeal Act." This law prohibits business establishments from discriminating based on a person's gender in the prices charged for services of a similar or like kind. For instance, dry cleaners cannot legally charge women more than men to launder shirts of the same size and requiring the same procedures. The law allows for civil damages of at least \$1,000 or three times the amount of the actual damages, plus attorney's fees.

AB 587 (Firebaugh), Chapter 261 of 2001, raises the minimum amount in damages that can be recovered under the Gender-Tax Repeal Act from \$1,000 to \$4,000.

AB 1088 (Jackson), Chapter 312 of 2001, requires specified business establishments, such as tailors, hair salons and dry cleaners, to conspicuously display their prices for each standard service to customers and to provide the customer with a copy of the price list upon request. Also requires businesses to

post a sign summarizing California's law prohibiting discrimination with respect to the price charged for services based on gender.

Proposition 209

Passed by California voters in November 1996, Proposition 209 bars discrimination or preferential treatment based on gender or race in public employment, contracting and education.

In implementing Proposition 209, public entities were uncertain as to what kinds of outreach strategies are permissible. SB 1045 (Polanco), Chapter 1165 of 2002, clarifies permissible modes of outreach such as allowing job announcements in Spanish-speaking newspapers to encourage diversity in public contracting and public employment.

Hate Crimes

Hate crimes is the term used to describe incidents of violence which are motivated by bigotry. California has a comprehensive statutory scheme addressing discriminatory violence which includes civil and criminal penalties for perpetrators, and remedies for victims of such violence.

Before the passage of AB 1999 (Kuehl), Chapter 933 of 1998, gender was included as a protected classification in some, but not all of the hate crimes statutes. AB 1999 includes gender as a protected classification in all the hate crime provisions. It also expands the definition of gender to include people with an ambiguous sexual identity.

Sexual Orientation

AB 1001 (Villaraigosa), Chapter 592 of 1999, makes it unlawful to engage in discriminatory practices in employment and housing accommodations on the basis of sexual orientation under California's Fair Employment and Housing Act.

Family Law

Child Support Guideline

The Legislature adopted the statewide uniform child support guideline in 1992 (SB 370, Hart, Chapter 46). Prior to the enactment of the new guideline, several studies showed California's average child support orders were significantly lower than other states. The new guideline has raised awards in California.

Child Support Enforcement

Finding more and more innovative enforcement tools is one way the Legislature has sought to improve child-support collections. Wage assignments, losing a professional license, and losing a driver's license are three of the most significant tools.

AB 1394 (Speier) of 1991 allowed for the suspension of a state-authorized business/professional license when a person has not paid court ordered child or spousal support (Signed as part of SB 101, Chapter 110 of 1991). AB 923 (Speier) of 1994 allowed the Department of Motor Vehicles to take away the commercial driver's license, and AB 257 (Speier), Chapter 481 of 1995 added ordinary (noncommercial) driver's licenses.

Welfare Reform and Child Support

With the passage of federal welfare reform in 1996 and California's CalWORKS welfare reform law passed in 1997, there was a new policy emphasis placed on low-income parents.

Under the federal welfare legislation, most custodial parents receiving benefits under the Temporary Assistance for Needy Families (TANF) will have to seek employment. AB 932 (Speier), Chapter 490 of 1996, authorizes a court in any child support proceeding to require either the custodial or noncustodial parent or both to participate in job training, job placement and vocational rehabilitation or other work program.

California's 1997 CalWORKS legislation (AB 1542, Ducheny) included a number of major child support provisions including:

- 1) Mothers applying for welfare are required to cooperate with child support agencies in establishing paternity, and
- 2) Welfare recipients are allowed to keep the first \$50 of any child support payment.

Family Law Legal Assistance

It is estimated that the vast majority of parents in California seeking family law court orders are not represented by legal counsel. The Legislature has enacted several bills to help these parents. The first measure was AB 1058 (Speier), Chapter 957 of 1996. It created an Office of Family Law Facilitator in each county superior court to assist unrepresented parents in child support matters at no cost. SB 240 (Speier), Chapter 652 of 1999, expanded AB 1058 to require family law facilitators to provide assistance in child custody and visitation matters as they relate to calculating child support. AB 2207 (Escutia), Chapter 721 of 1998, created a pilot program in three counties to provide information on divorce, separation, custody, visitation, restraining orders, child and spousal support and paternity.

Structural Reform

Prior to 1999 California had maintained 58 county-run child-support enforcement programs. AB 196 (Kuehl), Chapter 478 of 1999, created a new Department of Child Support Services to centralize the management and control of county child-support enforcement offices. The Legislature restructured California's child-support enforcement program because California's child-support performance was so dismal compared to programs in other states.

Spousal Support

AB 391 (Jackson), Chapter 846 of 1999, exempts marriages longer than ten years from the state goal of each spouse becoming self-supporting within a reasonable amount of time.

SB 78 (Kuehl), Chapter 286 of 2001, lays out specific finding that a court must look to in deciding whether a premarital agreement was voluntarily entered into and provides that the right to spousal support may not be waived by a premarital agreement unless several fairness conditions are met. Specifically, provides that the party who signed away his or her right to spousal support must have been represented by independent legal counsel or knowingly waived in writing representation by independent counsel.

SB 1221 (Romero), Chapter 293 of 2001, creates a "rebuttable presumption" that an award of spousal support should be eliminated if the spouse receiving spousal support was convicted within the last five years of spousal abuse.

SB 1399 (Romero), Chapter 410 of 2002, creates a new crime for ex-spouses who are under a valid order to pay temporary or permanent spousal support, if they flee the state to avoid paying the court-ordered spousal support.

Community Property

SB 1936 (Burton), Chapter 310 of 2002, clarifies that the fiduciary relationship between spouses includes the same duty of care in the investment and management of community property attributable to business partners managing partnership property under the Uniform Partnership Act.

Domestic Partners

Landmark legislation by Assemblymember Carol Migden establishing the legal authority of domestic partnerships was signed into law in 1999 (AB 26, Chapter 588). The new law defined domestic partnerships as a household relationship between adults of the same sex or opposite-sex partners over the age of 62. It provided for the registration and termination of domestic partnerships.

Domestic Violence Laws

Funding

SB 5 (Presley) Chapter 420 of 1993, raises the marriage license fee by \$4 to provide increased funding for domestic violence shelters. Shelters now receive \$23 from every marriage license issued.

The Battered Woman Protection Act of 1994 [AB 167, (B. Friedman), Chapter 140] provided \$11.5 million per year for shelters and \$3.5 million per year to improve domestic violence prosecutions. This marked the first time substantial dollars were committed to domestic violence protection as part of the state budget.

Restitution and Fines

AB 2439 (Archie-Hudson), Chapter 184, and SB 1545 (Lockyer), Chapter 183 of 1992, give courts the authority to order a convicted batterer to pay up to \$1,000 to a battered women's shelter or reimburse the victim for reasonable costs of counseling. The fine was increased to \$5,000 by AB 93X (Burton), Chapter 28X of 1994.

Confidentiality

SB 489 (Alpert), Chapter 1005, 1998; SB 1318 (Alpert), Chapter 562, 2000; and AB 205 (Leach), Chapter 33, 2000, allow domestic violence and stalking victims to use the Secretary of State's Office as their mailing address to keep their residence addresses confidential on all public records and legal documents, including voter registration forms and name changes.

Health Care

AB 890 (B. Friedman), Chapter 1234 of 1993, requires health care providers to get training in the detection of domestic violence. Hospitals and clinics also are required to adopt written policies on how to treat battered people.

AB 1652 (Speier), Chapter 992 of 1993, requires health practitioners to report suspected domestic violence to law enforcement (referred to as the mandatory reporting law).

Insurance Discrimination

AB 1973 (Figueroa), Chapter 603 of 1995, forbids health insurers and disability insurers from denying or restricting coverage to domestic violence survivors.

AB 588 (Figueroa), Chapter 845 of 1997, protects domestic violence victims from discrimination by property and casualty insurers.

AB 649 (Napolitano), Chapter 176 of 1997, protects abused people from discrimination by life insurance companies.

Welfare Reform

AB 1542 (Ducheny, Ashburn, Thompson and Maddy), Chapter 270 of 1997, requires the state Department of Social Services to issue regulations to guide counties in handling cases in which welfare recipients are past or present victims of abuse; requires counties to train welfare personnel working with abused clients.

Workplace

SB 165 (Solis), Chapter 411, 1998, permits persons who are forced to leave their employment because of domestic violence to receive unemployment insurance.

SB 56 (Solis), Chapter 340, 1999, prohibits all employers from discharging or otherwise discriminating against workers who take time off from work for reasons related to domestic-violence judicial actions, so long as the worker provides the employer with reasonable notice.

Batterer Treatment Programs

Under AB 93X (Burton), Chapter 28X of 1994, batterers placed on probation must remain on probation for three years and successfully complete a weekly 90-minute counseling session for at least a year. In 1995, the weekly counseling session was expanded to two hours under SB 169 (Hayden), Chapter 641.

Battered Woman Syndrome

AB 785 (Eaves), Chapter 812 of 1991, permits the admission of “battered woman syndrome” as evidence in a criminal trial when a defendant who has been battered is accused of committing violence against the batterer. Evidence Code section 1107 was expanded by SB 1944 (Solis), Chapter 1001 of 2002, to include the admissibility of evidence about the effects of domestic violence.

SB 799 (Karnette), Chapter 858 of 2001, allows women who were convicted of homicide prior to the enactment of AB 785 to bring a writ of habeas corpus when there is a reasonable probability that the result of the case would have been different had evidence of the effects of domestic violence been admissible in the original trial.

Criminal Enforcement

SB 591 (Solis), Chapter 246 of 1995, encourages the arrest of the abuser in domestic violence cases and discourages the arrest of both parties. SB 1944 (Solis), Chapter 1001, 2000, clarifies that law enforcement officers should arrest the “dominant aggressor” in a domestic violence situation rather than arresting both parties.

AB 2116 (Alby), Chapter 131 of 1996, allows misdemeanor warrantless arrests for assaults and batteries against a spouse, a cohabitant or the parent of the offender’s child which took place outside the presence of an officer, if the officer has “reasonable cause” to believe the crime took place. SB 1470 (Thompson), Chapter 182, 1998, expands this law to include former spouses, former cohabitants, engaged or formerly engaged persons, or other persons related to the suspect. AB 2003 (Shelley), Chapter 47 of 2000, adds a dating relationship to the list of personal relationships.

Firearms

AB 242 (Alpert), Chapter 600 of 1993, bans a person convicted of spousal abuse, stalking or violating a domestic violence restraining order from *owning or possessing* a firearm for ten years.

SB 218 (Solis), Chapter 662 of 1999, *prohibits* an individual subject to a domestic violence restraining order from owning, possessing or purchasing a firearm for the duration of the protective order. Makes violation of this prohibition a misdemeanor. Requires law enforcement to remove any firearms at the scene of a domestic violence incident, or any firearms found after a consensual search.

Restraining Orders

AB 1850 (Nolan), Chapter 995 of 1993, *allows* police to arrest without a warrant people who violate restraining orders even if the officer was not present to witness the violation. SB 218 (Solis), Chapter 662 of 1999, *requires* police to make such an arrest if the officer has probable cause to believe the violation occurred.

SB 591 (Solis), Chapter 246 of 1995, allows the issuance of mutual restraining orders only under limited circumstances. Makes sure new arrest policies are incorporated into the written policies and standards for officers’ responses to domestic violence calls.

AB 2030 (Goldberg), Chapter 1009 of 2002, allows the waiver of fees for service of protective orders for victims of domestic violence, stalking, and sexual assault.

Spousal Rape

AB 187 (Solis), Chapter 595 of 1993, makes all forms of rape, including spousal rape, essentially the same crime.

Stalking

SB 2184 (Royce), Chapter 1527 of 1990, and SB 1342 (Royce), Chapter 627 of 1992, establish the crime of stalking in California, making it the first state in the nation to make stalking a crime.

Training for Law Enforcement and Court Personnel

SB 132 (Watson), Chapter 965 of 1995, requires law enforcement officers who typically respond to domestic violence calls to complete an updated course on domestic violence every two years.

AB 2819 (Caldera), Chapter 695 of 1996, establishes judicial training programs for court personnel involved in domestic violence matters, such as judges, referees, commissioners and mediators.

Family Law/Child Custody

AB 2700 (Roybal-Allard), Chapter 610 of 1990, requires judges to consider any history of spousal abuse by a parent before determining child-custody rights for that parent.

AB 200 (Kuehl), Chapter 849 of 1997, tightens the law regarding custody decisions in cases of domestic abuse, child abuse or substance abuse by requiring the court to carefully weigh what custody arrangement is in the best interest of the child. A judge must explain his or her reasoning on the record if a parent who is alleged to have committed such abuse is granted sole or joint custody.

AB 2386 (Bordonaro), Chapter 705, and AB 2745 (Cardoza), Chapter 704 of 1998, prevent court-ordered custody or unsupervised visitation by a parent who has been convicted of murdering the child's other parent, unless the defendant was the victim of domestic violence by the decedent. Other states have adopted similar legislation, often referred to as Lizzie's law.

AB 840 (Kuehl), Chapter 445 of 1999, creates a presumption against awarding custody of a child to a person who has committed acts of domestic violence within the previous five years.

Court Interpreters

SB 982 (Solis), Chapter 888 of 1995, authorizes interpreters in domestic violence civil cases.

Juvenile Court

AB 2647(Kuehl), Chapter 1139 of 1996, is a multi-faceted law to protect children from the effects of domestic violence. It gives courts the authority to remove a battering parent or guardian from the home, prohibits visitation by the parent if it would jeopardize the safety of the child and creates a “safety plan” option in cases where the child is about to be removed from the home of a parent who is abused. It requires domestic violence training for personnel involved in such juvenile court cases.

Civil Remedies

SB 924 (Petrus), Chapter 602 of 1995, lengthens the statute of limitations for personal injury lawsuits based on domestic violence to three years, instead of one year, from the date of the last incident of domestic abuse.

AB 1928 (Jackson), Chapter 842 of 2002, allows a victim of gender-motivated violence (including domestic violence or sexual assault that is gender-motivated) to bring a civil action for compensatory and punitive damages against the attacker(s). Civil actions may be brought within three years of the offense, or within eight years after the victim reaches age 18, whichever is later. A victim may recover attorney's fees, a remedy not available in most tort actions.

AB 1933 (Reyes), Chapter 193 of 2002, creates a statutory tort for injuries resulting from domestic violence. Provides that a person found liable under its provisions would be subject to general, special, and punitive damages, and that the court would have the discretion to award other relief to a prevailing plaintiff, including an injunction, costs, and reasonable attorney's fees.

Women's Health

Women's health issues leaped to the top of the public policy agenda in the early 1990s. The increased visibility of these issues grew out of the recognition that women were traditionally slighted in medical research. For instance, leading heart research was done with only male research subjects, and then the resulting medical recommendation were applied to both men and women. In addition, more research dollars were spent on health problems more prevalent with men than on health problems more prevalent with women. These inequities fueled a push for more money for education and research for diseases such as breast and cervical cancer.

In 1993, Governor Wilson started the Office of Women's Health in the state Department of Health Services. AB 2200 (Speier), Chapter 760 of 1994, made the Office of Women's Health permanent and created an interagency task force on women's health to help develop more comprehensive and effective approaches to improving women's health problems.

AB 2849 (Escutia), Chapter 788 of 1994, requires the state Department of Health Services to start a pilot AIDS project to provide a model early intervention center for women with HIV.

AB 2125 (Figueroa), Chapter 790 of 1996, establishes prevention education and outreach programs related to female genital mutilation and creates criminal liability for anyone who performs or allows the procedure.

AB 38 (Figueroa), Chapter 389 of 1997, requires health insurers to provide hospital coverage for a minimum of 48 hours for mothers and infants after the birth of the babies.

AB 157 (Villaraigosa), Chapter 59 of 1997, provides that a mother may breastfeed her infant in any public or private location where she and the child are authorized to be present.

SB 1411 (Speier), Chapter 880 of 2002, prohibits health insurers from imposing a co-payment or deductible for hospital maternity services that exceed the most common amount of the co-payment or deductible imposed for services provided for other covered medical conditions.

Abandoned Babies

SB 1368 (Brulte), Chapter 824 of 2000, allows unwanted babies 72 hours old or younger to be given by a parent to an employee of a hospital emergency room with no questions asked and no threat of prosecution.

Bone, Breast and Gynecological Cancers

AB 2652 (Speier), Chapter 780 of 1992, creates the voluntary state income-tax check-off for the California Breast Cancer Research Fund. SB 602 (Alpert), Chapter 337 of 1997, extends the voluntary check-off until January 1, 2003, and allocates the collected money to the University of California for breast cancer research.

AB 478 (B. Friedman), Chapter 660 of 1993, increases the tax on cigarettes by 2 cents per package for purposes of financing a statewide breast cancer research, prevention and early detection program.

AB 547 (Speier), Chapter 1208 of 1993, requires certain health insurers and disability insurers to provide coverage for osteoporosis services, including bone mass measurement technologies to detect, treat and manage osteoporosis.

SB 5 (Rainey), Chapter 537 of 1999, prohibits the denial of enrollment or coverage to an individual solely due to a family history of breast cancer, or who has had one or more diagnostic procedures for breast disease but has not developed or been diagnosed with breast cancer.

SB 193 (Polanco), Chapter 651 of 2000, requires the Department of Motor Vehicles to issue a special breast-cancer treatment license plate and to allocate a portion of the funds collected by the issuance of the plates to help fund breast-cancer treatments for uninsured or underinsured persons.

SB 1080 (Bowen), Chapter 730 of 2001, requires layperson's language be used in standardized written summaries that medical care providers are required to give to patients describing symptoms and appropriate methods of diagnoses of gynecological cancers.

SB 1219 (Romero), Chapter 380 of 2001, requires the coverage for an annual cervical-cancer screening test provided pursuant to existing law to include, in addition to a conventional Pap test, the option of any cervical-cancer screening test approved by the federal FDA.

Direct Access to OB/GYNs

AB 2493 (Speier), Chapter 759 of 1994, requires health plans to include obstetrician-gynecologists as primary care providers.

AB 12 (Davis), Chapter 22 of 1998, requires health plans to allow enrollees to seek obstetrical and gynecological services directly from OB/GYNs and family practice physicians.

Reproductive Rights

SB 41 (Speier), Chapter 538 of 1999, establishes the Women's Contraceptive Equity Act which requires health insurers to cover prescription contraceptive methods.

AB 39 (Hertzberg), Chapter 532 of 1999, requires health care service plan contracts to provide coverage under terms and conditions applicable to other benefits, for a variety of FDA-approved prescription contraceptive methods.

AB 525 (Kuehl), Chapter 347 of 2000, requires health-care service plans to provide a written statement to potential enrollees informing them that some hospitals and other providers do not provide reproductive health services, and that specified contacts can assist in ensuring needed health care services.

SB 780 (Ortiz), Chapter 899 of 2001, enacts the California Freedom of Access to Clinic and Church Entrances Act to impose criminal and civil penalties for injuring, intimidating, or interfering with those who use or work at reproductive health-services clinics.

SB 1169 (Alpert), Chapter 900 of 2001, permits a pharmacist to initiate emergency contraception drug therapy in accordance with standardized procedures or protocols developed by the pharmacist and an authorized physician.

SB 1301 (Kuehl), Chapter 385 of 2002, enacts the Reproductive Privacy Act protecting California women's right to choose an abortion prior to viability of the fetus, even if the *Roe v. Wade* decision is overturned at the federal level. Repeals the 1967 California Therapeutic Abortion Act.

AB 2194 (Jackson), Chapter 384 of 2002, requires all residency programs in obstetrics and gynecology comply with the program requirements of the Accreditation Council for Graduate Medical Education, including training in the performance of an abortion.

AB 1860 (Migden), Chapter 382 of 2002, requires medical professional treating female sexual assault victims to provide emergency contraception on request.

Teenage Pregnancy

In the last few years, California's birth rate among adolescents has declined. The reasons for this decline are related to many different factors, such as a decrease in sexual activity, an increase in contraceptive use, an improvement in the economic prospects for young people and new teen pregnancy-prevention programs designed by public and private institutions.

SB 1170 (Lockyer), Chapter 311 of 1995, creates a grant program in the schools to fund teen pregnancy prevention programs that are based on model programs that are proven effective in delaying the onset of sexual activity and reducing the incidence of pregnancy among school-age youth. SB 1058 (Escutia), Chapter 541 of 2001, continues this grant program until January 1, 2004.

SB 1064 (Johnston), Chapter 1078 of 1998, creates a comprehensive program to serve the needs of pregnant and parenting teens and their children in public schools. Cal-SAFE is the name of this program that is designed to help teen parents stay in school, become better parents and nurture their children.

Children's Environmental Health Protection

SB 25 (Escutia), Chapter 731 of 1999, requires the state Air Resources Board to review and, if necessary, revise existing air quality standards for toxic air contaminants to protect infants and children. Creates a Children's Environmental Health Center within the state Environmental Protection Agency to advise the secretary of that agency and the governor on environmental health matters and environmental protection of children.